

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : Confirmation No.: 7031
:
David B. JACKSON : Attorney Ref.: 010-0026-US
:
Serial No.: 10/530,578 : Art Unit: (unknown)
:
Filed: March 11, 2005 : Examiner: (unknown)
:
FOR: SYSTEM AND METHOD FOR PROVIDING OBJECT TRIGGERS

RESPONSE TO NOTICE OF ABANDONMENT

MAIL STOP: Petitions – PCT Legal
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully requests withdrawal of the Notice of Abandonment. On March 11, 2005, Applicants mistakenly filed the transmittal form concerning a filing under 35 U.S.C. §371 when paying for additional search fees in International Application No. PCT/US05/008291. By filing the wrong transmittal letter, the USPTO treated the documents as a §371 filing and assigned Serial No. 10/530,578 to the application.

On August 11, 2006, Applicant filed the U.S. National Stage application under 35 U.S.C. §371 based on International Application No. PCT/US05/008291, filed on March 11, 2005 via Express Mail and requested that the National Stage filing fee, search fee, exam fee, extra independent claims fee, and extra claims over 20 fee be charged to Applicant's credit card. Copies of all documents are attached, including a copy of Applicant's credit card statement showing that it was charged \$1,125 by the USPTO on August 18, 2006.

Applicant refers to two other applications (Serial No. 10/530,576, Docket No. 010-0013 and Serial No. 10/530,580, Docket No. 010-0028) which are in the same situation as the present


case. In these cases, Applicant spoke with Ms. Terry Johnson Vessels and explained the situation. Ms. Johnson Vessels asked that we send her copies of all documents in these cases and she hand-delivered the documents to PCT Legal. We have since been charged for the filing fees in these cases and are awaiting a favorable decision. The present case should be processed in the same manner as these two related applications.

Applicant respectfully requests that the Notice of Abandonment be withdrawn and that the filing date of August 11, 2006 be assigned to Serial No. 10/530,578. Applicant next respectfully requests an early action on the merits.

If necessary, the Commissioner for Patents is authorized to charge or credit the **Novak, Druce & Quigg, LLP, Account No. 14-1437** for any deficiency or overpayment.

Respectfully submitted,

Date: November 24, 2008

By: 

Correspondence Address:
Customer No. 40271

Thomas M. Isaacson
Attorney for Applicants
Reg. No. 44,166
Phone: 410-286-9405
Fax No.: 410-510-1433